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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/658,553	09/08/2003	Frank Tsai	USP2213A-WPI	3275
30265	7590	08/04/2005	EXAMINER	
RAYMOND Y. CHAN 108 N. YNEZ AVE., SUITE 128 MONTEREY PARK, CA 91754			HAWK, NOAH CHANDLER	
			ART UNIT	PAPER NUMBER

3637

DATE MAILED: 08/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/658,553	<b>Applicant(s)</b> TSAI, FRANK	
	<b>Examiner</b> Noah C. Hawk	<b>Art Unit</b> 3637	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-26 is/are pending in the application.  
     4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☒ Claim(s) 2 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 9/8/03 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
     a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |  |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____  |

## **DETAILED ACTION**

### ***Specification***

1. The disclosure is objected to because of the following informalities: On page 1, line 10 "tables are economy, cheap and foldable that can be" should be "tables are economical, cheap and foldable and can be." On page 1, line 18 "foldable" should be "foldably." On page 2, line 19 "table that two table legs are" should be "table with two table legs that are." On page 9, line 20, the phrase "It embodiments have been shown" is improper English. On page 5, a leg frame is disclosed as item 30 and on page 6, a transverse member is disclosed as item 31; subsequently, a supporting frame is disclosed and appears to describe the leg frame and is incorrectly described as item 31. On page 8, line 16, reference is made to "top panel 11'"; subsequently, reference to the same top panel is incorrectly labeled "top panel 11." Appropriate correction is required.
2. Claim 2 is objected to because of the following informalities: on page 10, line 19, "L-shaped" should be "L-shape." Appropriate correction is required.

### ***Drawings***

3. The drawings are objected to because: in Figure 1, it is unclear what part of the device reference characters 2, 10, 20, 30, 40, 41, 42, 50, and 111 are referring to. In Figure 2, it is unclear what part of the device reference characters 10, 20, 30, 40, 41, 111, and 422 are referring to. In Figure 4, it is unclear what part of the device reference

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characters 10', 50', and 111' are referring to. The drawings are further objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: On page 5, lines 5, 6, 18, 20, 21, 23, 26 and 27, page 6, lines 1, 2, 5-6, 9, 11, 17, 18, 22 and 23-24, page 7 lines 25, 27, 29, and 30, page 8, lines 1 and 6 and page 9, lines 2 and 3-4, reference is made to "top panel 11" which is missing and/or mislabeled as "111" in Figures 1 and 2. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Information Disclosure Statement***

4. The listing of references in the specification is not a proper information disclosure statement. 37 CFR 1.98(b) requires a list of all patents, publications, or other information submitted for consideration by the Office, and MPEP § 609 A(1) states, "the list may not be incorporated into the specification but must be submitted in a separate paper." Therefore, unless the references have been cited by the examiner on form PTO-892, they have not been considered.

***Claim Rejections - 35 USC § 112***

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 1-7 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. It is unclear whether the applicant is claiming a foldable pivot leg assembly or a foldable pivot leg assembly in combination with a tabletop structure. If the applicant intends to claim only the foldable pivot leg assembly, all recitation of the combination must be removed. If the applicant intends to claim the combination, the preamble of the claims should be amended to be consistent with the language in the body of the claims. For the purposes of examination, the subcombination of the "foldable pivot leg assembly" will be considered on its own. Any reference to the tabletop structure or any of its components in the claims will not be given any patentable weight.

7. Claims 1-7 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The applicant discloses a "pair of table supporting frames" (page 10, line 6) that further comprises a "supporting frame" (page 10, line 10). The repetition of the phrase "supporting frame" makes it unclear how these two elements are related and confusing to the reader of the claims. One or both elements should be renamed to provide a clearer understanding of the applicant's invention.

8. Claims 8-26 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The applicant discloses a "pair of table supporting frames" (page 11, line 23-24) which further comprises a "supporting frame" (page 12, line 1). The repetition of the phrase "supporting frame" makes it unclear how these two elements are related and confusing to the reader of the claims. One or both elements should be renamed to provide a clearer understanding of the applicant's invention.

***Claim Rejections - 35 USC § 102***

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

10. Claim 1 and 3 are rejected under 35 U.S.C. 102(b) as being anticipated by Fanuzzi in US Patent 6182578. Fanuzzi teaches a pair of table supporting frames each

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comprising a leg frame (30), a supporting frame (90, 92) with two arms (78,79), each with a lower retention portion (74) and an upper supporting portion (38,40), and a folding frame with two arms (44,46) pivotally connected to the leg frames (see Fanuzzi, column 2, lines 51-53) and connected by a pivot joint (see hinge portions 60 and 62) to the supporting arms with the end portions of the supporting arms sandwiched between the end portions of the folding arms (see Fanuzzi, Figure 4).

***Claim Rejections - 35 USC § 103***

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claims 1, 3, and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stanford in US Patent 6112674 in view of Virtue et al. in US Patent 2278810. Stanford teaches a pair of table supporting frames each comprising a leg frame (18, 20) for pivotally mounting between two tabletop supports, a supporting frame (24,30) with a lower retention portion (104) and an upper supporting portion (28,34) for mounting transversely and pivotally at tabletop supports, and a folding frame with two arms (100) pivotally connected to the leg frames (see Stanford, column 7, lines 20-24) and connected by a pivot joint (see Stanford, column 7, lines 27-31) to the supporting arms with the end portions of the supporting arms sandwiched between the end portions of the folding arms (best seen in Stanford, Figure 3). Stanford also discloses a ring-shaped

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locker (108) slidably mounted to the supporting arm. Stanford does not disclose a supporting frame with two supporting arms. Virtue et al. disclose a supporting frame with two supporting arms (32). It would have been obvious to one of ordinary skill in the art at the time of invention to modify the device of Stanford by adding two supporting arms as taught by Virtue et al. in order to provide a more stable support structure for a tabletop.

13. Claims 2, 4, 5, and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stanford in view of Virtue et al., and further in view of Palmer in US Patent 4825781. Stanford discloses a supporting frame with an upper supporting portion (28,34) for transversely and pivotally mounting (36) to a tabletop support frame and a ring-shaped locker (108) slidably mounted to the supporting arm. Stanford does not disclose a supporting frame with two L-shaped supporting arms. Palmer discloses a supporting frame (A) with two L-shaped arms (2). It would have been obvious to one skilled in the art at the time of invention to modify the device of Stanford and Virtue et al. by adding a supporting frame with two L-shaped arms as taught by Palmer in order to provide more structural rigidity to a tabletop.

14. Claims 8 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stanford in view of Virtue et al. Stanford discloses a plastic made (see Stanford, column 12, line 53-54) tabletop (12) with two tabletop supports (42,44) longitudinally supported under the top panel, a foldable pivot leg assembly comprising a pair of table supporting frames, each having a leg frame (18,20) pivotally mounted between two tabletop supports, a supporting frame (24,30) with a lower retention portion (104) and an upper



supporting portion (28,34), and a folding frame with two arms (100) pivotally connected to the leg frames (see Stanford, column 7, lines 20-24) and connected by a pivot joint (see Stanford, column 7; lines 27-31) to the supporting arms with the end portions of the supporting arms sandwiched between the end portions of the folding arms (best seen in Stanford, Figure 3). Stanford does not disclose a supporting frame with two supporting arms. Virtue et al. disclose a supporting frame with two supporting arms (32, 34). It would have been obvious to one of ordinary skill in the art at the time of invention to modify the device of Stanford by adding a supporting frame with two supporting arms as taught by Virtue et al. in order to provide a more stable support structure for a tabletop.

15. Claims 9, 11, 12, and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stanford in view of Virtue et al., and further in view of Palmer.

Stanford discloses a ring-shaped locker (108) slidably mounted to the supporting arm, but neither Stanford nor Virtue et al. teach a supporting frame with two L-shaped supporting arms. Palmer discloses a supporting frame (A) with two L-shaped arms (2). It would have been obvious to one skilled in the art at the time of invention to modify the device of Stanford and Virtue et al. by adding a supporting frame with two L-shaped arms as taught by Palmer in order to provide more structural rigidity to a tabletop.

16. Claims 14, 20 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stanford in view of Virtue et al. as applied to claim 8 above, and further in view of Pinch in US Patent 6058853. Stanford discloses holes in the tabletop supports (ref.46 and column 14, lines 5-7) to receive the ends of the leg frames in the supporting members, but does not disclose a specific number, a surrounding rim with an inner and

outer sidewall depending from the tabletop or a plurality of guiding slots. Pinch teaches a surrounding rim with an outer sidewall (176) and an inner sidewall (152) to define a receiving track where the tabletop supports are mounted and a plurality of guiding slots (160) formed on the inner sidewall of the surrounding rim to align with an attachment arrangement. It would have been obvious to one of ordinary skill in the art at the time of invention to choose an appropriate number of holes in the tabletop supports to accommodate all of the arms of the table supporting frames and to further modify the device of Stanford and Virtue et al. by adding a receiving track with inner and outer sidewalls and a plurality of guiding slots in the inner sidewalls as taught by Pinch to the table top in order to provide a more secure mounting means for the tabletop supports.

17. Claims 15, 21, 23, 24 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stanford in view of Virtue et al. and Palmer as applied to claim 13 above, and further in view of Pinch. Stanford discloses holes in the tabletop supports (ref.46 and column 14, lines 5-7) to receive the ends of the leg frames in the supporting members, but does not disclose a specific number, a surrounding rim with an inner and outer sidewall depending from the tabletop or a foldable tabletop. Pinch teaches a surrounding rim with an outer sidewall (176) and an inner sidewall (152) to define a receiving track where the tabletop supports are mounted, a plurality of guiding slots (160) formed on the inner sidewall of the surrounding rim to align with an attachment arrangement and a tabletop comprising a folding joint (164) formed at a mid-portion of the tabletop so that the two halves of the tabletop are rotatably mounted with each other. It would have been obvious to one of ordinary skill in the art at the time of

invention to choose an appropriate number of holes in the tabletop supports to accommodate all of the arms of the table supporting frames and to further modify the device of Stanford, Virtue et al. and Palmer by adding a receiving track with inner and outer sidewalls, a plurality of guiding slots and a foldable tabletop as taught by Pinch in order to provide a more secure mounting means for the tabletop supports and to make stowage of the table easier when not in use.

18. Claims 16 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stanford in view of Virtue et al. and Pinch as applied to claim 14 above, and further in view of Witkowiak in US Patent 2695828. Pinch discloses a plurality of guiding slots (see Pinch, Figure 4, ref 160) formed on the inner sidewall of the surrounding rim to align with an attachment arrangement but does not disclose an attachment arrangement comprising attachment members and mounting members or a plurality of guiding slots. Witkowiak discloses mounting foldable leg frames to a supporting siderail using attachment members (16) extending from the siderail which are inserted into the leg frames (see Witkowiak, fig. 2), but does not disclose four attachment members and four coupling members. It would have been obvious to one of ordinary skill in the art at the time of invention to modify the device of Stanford as modified by Virtue et al. and Pinch, to use an attachment arrangement of members extending from the siderail to be inserted into the frame segments as taught by Witkowiak, and in an appropriate number to accommodate all of the frame segments that needed to be attached in order to provide a more secure mounting means for the support members.

19. Claims 17, 19 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stanford in view of Virtue et al., Palmer and Pinch as applied to claim 15 above, and further in view of Witkowiak in US Patent 2695828. Pinch discloses a plurality of guiding slots (160) formed on the inner sidewall of the surrounding rim to align with an attachment arrangement and a tabletop comprising a folding joint (164) formed at a mid-portion of the tabletop so that the two halves of the tabletop are rotatably mounted with each other but does not disclose an attachment arrangement comprising attachment members and mounting members. Witkowiak discloses mounting foldable leg frames to a supporting siderail using attachment members (16) extending from the siderail which are inserted into the leg frames (see Witkowiak, fig. 2), but does not disclose four attachment members and four coupling members. It would have been obvious to one of ordinary skill in the art at the time of invention to modify the device of Stanford as modified by Virtue et al., Palmer and Pinch, to use an attachment arrangement of members extending from the siderail to be inserted into the frame segments as taught by Witkowiak, and in an appropriate number to accommodate all of the frame segments that needed to be attached, in order to provide a more secure mounting means for the support members.

### ***Conclusion***

20. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Wen, Chang, Price et al., Fink and Cobos et al. disclose plastic folding tables. Nien discloses a table that folds in the middle. Wixey et al., and Pucci

disclose folding table leg structures. Flint discloses a supporting frame with two arms. Tsai (US Patent 6732663) discloses a plastic folding table that uses attachment members extending from the siderails.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Noah C. Hawk whose telephone number is 571-272-1480. The examiner can normally be reached on M-F 9am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lanna Mai can be reached on 571-272-6867. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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